

[PROPOSED] Rule 2015-1

TRUSTEE EXPENDITURES

(a) ***Chapter 7 Trustee's Limited Authority to Expend Funds.*** A trustee in charge of the administration of a Chapter 7 case is authorized to incur and pay expenses directly related to the administration of the estate not to exceed in the aggregate \$500.00 without order of the Court. The Trustee's Final Report shall itemize all expenses incurred and paid during the administration of the estate and shall be subject to review by the Court.

(b) ***Bank Servicing Fees.*** A trustee may pay bank servicing fees to the extent authorized by the Uniform Depository Agreement that exists between the bank used by the trustee as a depository for estate funds and the United States Trustee. These fees may be assessed against the trustee's bankruptcy accounts. After notice and hearing, any servicing fees paid by the trustee are subject to review to determine whether the service fees are actual, necessary costs and expenses of preserving the estate.

Notes of Advisory Committee

2011

This rule incorporates archived Administrative Order FLMB 2011-1 Order Providing Limited Authority to Expend Funds which permitted Chapter 7 trustees to incur and pay routine expenses. It increases the amount permitted from \$300.00 to \$500.00 without order of the Court. It requires the Trustee's Final Report to itemize all expenses incurred rather than the preliminary report, and permits bank servicing fees subject to Court review upon notice and hearing.